

Patent Case: DX0757K

Appl. No. 09/910,695
 Amdt. dated October 8, 2003
 Reply to Office Action of July 1, 2003

- 2 -

IN THE CLAIMS

Claims 1-10 (canceled)

Claim 11 (previously presented) An isolated or recombinant nucleic acid encoding a polypeptide comprising the amino acid sequence set forth in SEQ ID NO: 8.

Claim 12 (currently amended) An isolated non-human host cell ~~or tissue~~ comprising a said isolated or recombinant nucleic acid of Claim 11.

Claim 13 (previously presented) The isolated non-human host cell of Claim 12, wherein said isolated non-human host cell is:

- a) a prokaryotic cell;
- b) a eukaryotic cell;
- c) a bacterial cell;
- d) a yeast cell;
- e) an insect cell;
- f) a mammalian cell;
- g) a mouse cell; or
- h) a primate cell.

Claim 14 (currently amended) A kit comprising said isolated or recombinant nucleic acid of Claim 11, and:

- a) a compartment comprising said isolated or recombinant nucleic acid;
- b) a compartment further comprising a polypeptide of SEQ ID NO: 8; and/or
- c) instructions for use or disposal of reagents in said kit.

Claims 15-16 (canceled)

Claim 17 (currently amended) An isolated or recombinant nucleic acid which:

- a) hybridizes under wash conditions of 65° C and 150 mM salt; and
- b) exhibits identity over a stretch of 75 nucleotides to SEQ ID NO: 7.

Claim 18 (currently amended) A kit comprising said isolated or recombinant nucleic acid of Claim 17, and:

- a) a compartment comprising said isolated or recombinant nucleic acid;
- b) a compartment further comprising a polypeptide of SEQ ID NO: 8; and/or
- c) instructions for use or disposal of reagents in said kit.

Claim 19 (currently amended) A method for producing a duplex nucleic acid, comprising contacting one strand of the isolated or recombinant nucleic acid of Claim 17 to a complementary strand, thereby producing said duplex.

Claims 20-22 (canceled)

Claim 23 (currently amended) The isolated or recombinant nucleic acid of Claim 11, wherein the isolated or recombinant nucleic acid comprises the nucleotide sequence set forth in SEQ ID NO: 7.

Patent Case: DX0757K

Appl. No. 09/910,695
 Amdt. dated October 8, 2003
 Reply to Office Action of July 1, 2003

- 3 -

Claim 24 (currently amended) A recombinant vector comprising:

- a) an isolated or recombinant nucleic acid according to Claim 11; and
- b) control elements that are operably linked to said isolated or recombinant nucleic acid whereby a coding sequence within said isolated or recombinant nucleic acid can be transcribed and translated in a host cell, and at least one of said control elements is heterologous to said coding sequence.

Claim 25 (previously presented) An isolated non-human host cell transformed with the recombinant vector of Claim 24.

Claim 26 (previously presented) A method for producing a recombinant polypeptide comprising:

- a) providing a population of isolated non-human host cells according to Claim 25; and
- b) culturing said population of cells under conditions whereby a polypeptide encoded by the coding sequence present in said recombinant vector is expressed.

Claim 27 (previously presented) A method for expressing a recombinant polypeptide comprising:

- a) transforming a host cell with the recombinant vector of Claim 24; and
- b) causing expression of a polypeptide encoded by the coding sequence present in said recombinant vector.

Claims 28-36 (canceled)

Claim 37 (currently amended) An isolated or recombinant nucleic acid ~~which comprises a nucleic acid encoding an polypeptide comprising a~~ consisting of any 27 26 amino acid fragment of the amino acid sequence set forth in SEQ ID NO: 8.

Claim 38 (previously presented) A kit comprising:

- a) the isolated or recombinant nucleic acid of Claim 37 in a compartment; and
- b) instructions for use or disposal of reagents in said kit.

Claim 39 (previously presented) An expression vector which comprises the isolated or recombinant nucleic acid of Claim 37.

Claim 40 (previously presented) An isolated non-human host cell transformed with the expression vector of Claim 39.

Claim 41 (currently amended) A method for producing a polypeptide, comprising expressing the isolated or recombinant nucleic acid of Claim 15 17 in an isolated non-human host cell, thereby producing said polypeptide.